



February 13, 2004

ENGROSSED SENATE BILL No. 449

DIGEST OF SB 449 (Updated February 10, 2004 2:17 pm - DI 77)

Citations Affected: IC 2-5; noncode.

Synopsis: CHOICE program. Allows the health finance commission to study the implementation of long term care services. Requires the office of family and social services to present a report to the health finance commission.

Effective: April 1, 2004; July 1, 2004.

**Server, Simpson, Dillon, Gard,
Riegsecker**

(HOUSE SPONSORS — BROWN C, BECKER, WELCH)

January 12, 2004, read first time and referred to Committee on Health and Provider Services.

January 22, 2004, amended, reported favorably — Do Pass.

January 26, 2004, read second time, ordered engrossed. Engrossed.

January 29, 2004, read third time, passed. Yeas 47, nays 0.

HOUSE ACTION

February 4, 2004, read first time and referred to Committee on Public Health.

February 12, 2004, amended, reported — Do Pass.

C
o
p
y

ES 449—LS 6858/DI 14+



February 13, 2004

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 449

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 2-5-23-4 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2004]: Sec. 4. The commission may study any
3 topic:

- 4 (1) directed by the chairman of the commission;
5 (2) assigned by the legislative council; or
6 (3) concerning issues that include:
7 (A) the delivery, payment, and organization of health care
8 services; ~~and~~
9 (B) rules adopted under IC 4-22-2 that pertain to health care
10 delivery, payment, and services that are under the authority of
11 any board or agency of state government; **and**
12 **(C) the implementation of IC 12-10-11.5.**

13 SECTION 2. [EFFECTIVE APRIL 1, 2004] **(a) As used in this**
14 **SECTION, "CHOICE program" refers to the community and**
15 **home options to institutional care for the elderly and disabled**
16 **program established under IC 12-10-10.**

17 **(b) As used in this SECTION, "office" refers to the office of the**

ES 449—LS 6858/DI 14+



C
o
p
y

1 secretary of family and social services (IC 12-8-1-1).

2 (c) The office shall report, in writing, to the health finance
3 commission (IC 2-5-23) not later than May 1, 2004, the office's
4 progress in implementing IC 12-10-11.5. The report must also
5 include the following:

6 (1) Plans and progress to use all funds appropriated by the
7 general assembly for the CHOICE program, and only for that
8 program, as long as a waiting list exists for CHOICE program
9 funded services.

10 (2) Plans for establishing the comprehensive array of home
11 and community based services that are required by
12 IC 12-10-11.5.

13 (3) Progress in enrolling individuals in home and community
14 based services through Medicaid waivers, using the income
15 eligibility standard established for those services by
16 IC 12-10-11.5.

17 (4) Progress in moving individuals from institutions to home
18 and community based services through Medicaid waivers,
19 using the funds that follow the individual under IC 12-10-11.5.

20 (5) Progress in tracking and recording savings generated by
21 the implementation of IC 12-10-11.5.

22 (6) Plans and actions taken to secure federal funding,
23 including grants and private and state funding, other than
24 funds appropriated to the CHOICE program, to assist in the
25 implementation of IC 12-10-11.5.

26 (7) The office's reasons for any failure to meet the statutory
27 deadlines established by IC 12-10-11.5.

28 (d) This SECTION expires July 1, 2005.

29 SECTION 3. An emergency is declared for this act.

C
O
P
Y



SENATE MOTION

Madam President: I move that Senator Simpson be added as second author and Senators Dillon, Gard and Riegsecker be added as coauthors of Senate Bill 449.

SERVER

**C
o
p
y**



COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 449, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 13 through 17.

Delete page 2.

and when so amended that said bill do pass.

(Reference is to SB 449 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 10, Nays 0.

C
O
P
Y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 449, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, after line 12, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE APRIL 1, 2004] (a) As used in this SECTION, "CHOICE program" refers to the community and home options to institutional care for the elderly and disabled program established under IC 12-10-10.

(b) As used in this SECTION, "office" refers to the office of the secretary of family and social services (IC 12-8-1-1).

(c) The office shall report, in writing, to the health finance commission (IC 2-5-23) not later than May 1, 2004, the office's progress in implementing IC 12-10-11.5. The report must also include the following:

(1) Plans and progress to use all funds appropriated by the general assembly for the CHOICE program, and only for that program, as long as a waiting list exists for CHOICE program funded services.

(2) Plans for establishing the comprehensive array of home and community based services that are required by IC 12-10-11.5.

(3) Progress in enrolling individuals in home and community based services through Medicaid waivers, using the income eligibility standard established for those services by IC 12-10-11.5.

(4) Progress in moving individuals from institutions to home and community based services through Medicaid waivers, using the funds that follow the individual under IC 12-10-11.5.

(5) Progress in tracking and recording savings generated by the implementation of IC 12-10-11.5.

(6) Plans and actions taken to secure federal funding, including grants and private and state funding, other than funds appropriated to the CHOICE program, to assist in the implementation of IC 12-10-11.5.

(7) The office's reasons for any failure to meet the statutory deadlines established by IC 12-10-11.5.

(d) This SECTION expires July 1, 2005.

C
o
p
y



SECTION 3. An emergency is declared for this act."

and when so amended that said bill do pass.

(Reference is to SB 449 as printed January 23, 2004.)

BROWN C, Chair

Committee Vote: yeas 13, nays 0.

**C
o
p
y**

